

EXHIBIT 1

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE
COMMISSION,

18 Civ. 8175 (ER)

Plaintiff,

ECF CASE

– against –

CIVIL CASE DISCOVERY PLAN
AND SCHEDULING ORDER

BARRY C. HONIG, MICHAEL BRAUSER,
JOHN STETSON, JOHN R. O'ROURKE III,
ROBERT LADD, ELLIOT MAZA, BRIAN
KELLER, JOHN H. FORD, ATG CAPITAL
LLC, GRQ CONSULTANTS, INC., HS
CONTRARIAN INVESTMENTS, LLC,
GRANDER HOLDINGS, INC., and STETSON
CAPITAL INVESTMENTS INC.,

Defendants.

This Civil Case Discovery Plan and Scheduling Order is adopted, after consultation with counsel, pursuant to Fed. R. Civ. P. 16 and 26(f):

1. All parties do not consent to conducting all further proceedings before a Magistrate Judge, including motions and trial, pursuant to 28 U.S.C. § 636(c). The parties are free to withhold consent without adverse substantive consequences. (If all parties consent, the remaining paragraphs of this form need not be completed.)
2. This case is to be tried to a jury.
3. Plaintiff's Amended Complaint was filed on **March 8, 2019**. The court has ordered that motions to dismiss are due **June 19, 2019**; oppositions are due **August 2, 2019**; and replies are due **September 3, 2019**. See Dkt. 99.
4. The non-privileged portions of the SEC's investigative file will be produced by **April 17, 2019**.
5. Initial Disclosures shall be served 14 days after the initial conference.
6. If the Amended Complaint is not dismissed in its entirety, Answers are due 30 days after a ruling on the motions to dismiss. If there is no ruling on the motions to dismiss by March 2, 2020, the parties will meet and confer regarding the need to extend discovery.
7. Interrogatories shall be served no later than **January 31, 2020**, and responses thereto shall be served within thirty (30) days thereafter. The provisions of Local Civil Rule 33.3 shall not apply to this case.

8. Requests for production of documents, if any, shall be served no later than **January 31, 2020**, and responses thereto shall be served within thirty (30) days thereafter.
9. Non-party depositions (besides experts) shall be completed by **December 13, 2019**.
10. Requests to Admit, if any, shall be served no later than **January 31, 2020**.
11. Party depositions shall be completed between **February 10-28, 2020**.
12. Expert reports shall be served no later than **March 10, 2020**.
13. Rebuttal expert reports shall be served no later than **March 31, 2020**.
14. Expert depositions shall be completed by **April 30, 2020**.
15. ALL DISCOVERY SHALL BE COMPLETED BY **April 30, 2020**.
16. The Court will hold a status conference on **May 1, 2020**, or another time convenient for the Court. During that status conference, the parties will present a proposed schedule for any motions for summary judgment, pre-trial submissions, and trial.
17. Any motions shall be filed in accordance with the Court's Individual Practices.
18. This Civil Case Discovery Plan and Scheduling Order may not be changed without leave of Court (or the assigned Magistrate Judge acting under a specific order of reference), unless the parties agree in writing to move interim fact discovery dates.
19. The Magistrate Judge assigned to this case is the Hon. Barbara C. Moses.
20. If, after entry of this Order, the parties consent to trial before a Magistrate Judge, the Magistrate Judge will schedule a date certain for trial and will, if necessary, amend this Order consistent therewith.
21. The next case management conference is scheduled for the same date as oral argument on Defendants' motions to dismiss. (The Court will set this date at the initial conference.)

SO ORDERED.

Dated: New York, New York

Edgardo Ramos, U.S. District Judge